

Arrest on Out-of-District Offense

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

ARREST ON OUT-OF-DISTRICT OFFENSE

'08 MJ 8825

Magistrate Case Number: _____

The person charged as Fernando Alvarez-Brenes now appears before this United States District Court for an initial appearance as a result of the following charges having been filed in the United States District Court for the Eastern District of California with Deported Alien found in the United States, in violation of Title 8, United States Code, Section 1326

The charging documents and the warrant of the arrest of the defendant which was issued by the above United States District Court are attached hereto.

I hereby swear under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information and belief.

DATED: 9/15/08



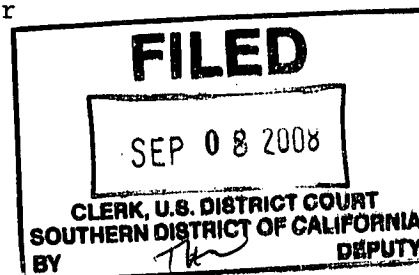
Christopher A. Salgado
(Name)

Deportation Officer

Reviewed and Approved:

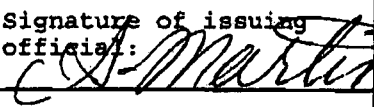
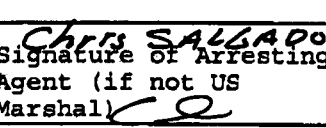
Dated: 9-8-08


Assistant United States Attorney



COPY

**WARRANT OF ARREST
UNITED STATES DISTRICT COURT**

INSTRUCTIONS: Forward copies Number 1 AND 2 intact to the US Marshal. Forward copy Number 3 to US Attorney's office. Retain number 4 copy. If applicable, use Number 4 copy to withdraw warrant. After completion of return, US Marshal will distribute copies Number 1 through 3 as appropriate.		
Name of Person FERNANDO ALVAREZ-BRENES aka Alejandro Ayala Alvarez aka Fernando Brenes Alvarez	DISTRICT OF ISSUE EASTERN DISTRICT OF CALIFORNIA	Docket Number 1:08-cr-00288LJO
REASON FOR WARRANT		
<input checked="" type="checkbox"/> Indictment	<input type="checkbox"/> Information	<input type="checkbox"/> OTHER (SPECIFY)
8/1326(a) & (b) (2)	Deported Alien Found in the United States (Felony)	NO BAIL
Date: 09/04/2008	DEPUTY CLERK: S. MARTIN	Signature of issuing official: 
TO: ANY US MARSHAL OR ANY OTHER AUTHORIZED OFFICER		
<input type="checkbox"/> You are hereby commanded to arrest the above named person and bring this individual forthwith before the nearest available United States Court or (if applicable) before the nearest United States Magistrate in the arresting district to answer the above stated charge(s) in the indictment or information.		
THE US MARSHAL IN THE DISTRICT OF ARREST IS HEREBY FURTHER AUTHORIZED AND COMMANDED TO TAKE CUSTODY OF THE ABOVE NAMED PERSON. IF AFTER BRINGING THE PERSON BEFORE ANY APPLICABLE JUDICIAL OFFICER IN THE MANNER INDICATED ABOVE, THE INDIVIDUAL FAILS TO FURNISH BAIL FOR APPEARANCE PER ORDERS AND DIRECTIONS OF SUCH JUDICIAL OFFICER, THE US MARSHAL IS AUTHORIZED AND COMMANDED TO KEEP SAFELY THIS INDIVIDUAL UNTIL DISCHARGED IN DUE COURSE OF LAW.		
RETURN		
I certify I executed this warrant and such other order directed herein as shown below.		
Date Received 9/5/08	Arresting Agency (if not US Marshal) ICE/DRO	Signature of Arresting Agent (if not US Marshal) 
Date Committed 9/5/08	Place of Confinement Imperial County Jail	<input checked="" type="checkbox"/> Executed <input type="checkbox"/> Unexecuted <input type="checkbox"/> Withdrawn
Date of Return	Name of US Marshal	Signature of US Marshal or Deputy

MA FORM 6 EASTERN DISTRICT OF CALIFORNIA

COPY NUMBER 1 - ACTION COPY
 COPY NUMBER 2 - CONFINEMENT AGENCY COPY
 COPY NUMBER 3 - US ATTORNEY COPY
 COPY NUMBER 4 - CLERKS OFFICE COPY

1 MCGREGOR W. SCOTT
2 United States Attorney
3 IAN L. GARRIQUES
4 Assistant U.S. Attorney
5 4401 Federal Building
6 2500 Tulare Street
7 Fresno, California 93721
8 Telephone: (559) 497-4000

ORIGINAL

FILED

SEP 04 2008

CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

BY DEPUTY CLERK

S. MARTIN

9 UNITED STATES DISTRICT COURT FOR THE
10 EASTERN DISTRICT OF CALIFORNIA

11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 v.

14 FERNANDO ALVAREZ-BRENES

15 aka Alejandro Ayala Alvarez

16 aka Fernando Brenes Alvarez,

17 Defendant.

108CR 00288 LJO

CR. NO.

VIOLATION:

8 U.S.C. § 1326(a) and (b)(2)
- Deported Alien Found in the
United States (Felony)

18 I N D I C T M E N T

19 The Grand Jury charges: T H A T

20 FERNANDO ALVAREZ-BRENES

21 aka Alejandro Ayala Alvarez

22 aka Fernando Brenes Alvarez,

23 defendant herein, an alien, on or about March 20, 2007, was
24 excluded, deported, or removed from the United States after being
25 convicted of one or more crimes punishable by a term of
imprisonment exceeding one year, specifically:

26 Receiving stolen property in violation of California
27 Penal Code § 496(a), on or about August 20, 2002, in
28 the Superior Court of California, County of Los
Angeles, for which the defendant was sentenced to two
years imprisonment (Case No. NA052855-03);


1 and thereafter on or about April 16, 2008, the defendant was found
2 within the State and Eastern District of California, with neither
3 the United States Attorney General or the Secretary of the
4 Department of Homeland Security having expressly consented to a
5 reapplication by the defendant for admission into the United
6 States, in violation of Title 8, United States Code, Section
7 1326(a) and (b)(2).

8
9 A TRUE BILL.

10
11 /s/ Signature on file w/AUSA

FOREPERSON

12 MCGREGOR W. SCOTT
13 United States Attorney

14 By: 
15 MARK E. CULLERS
16 Assistant U.S. Attorney
Chief, Fresno Office